

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: April 7-8, 2004

Reference No.: 2.4b.
Action Item

From: ROBERT L. GARCIA
Chief Financial Officer

Prepared by: Brice D. Paris
Division Chief
Right of Way

Ref: RESOLUTIONS OF NECESSITY

ISSUE:

For each of the proposed resolutions, the property owners are not contesting the following findings contained in Section 1245.230 of the Code of Civil Procedure:

1. The public interest and necessity require the project.
2. The project is planned to provide the greatest public good with the least private injury.
3. This property is required for the proposed project.
4. An offer to purchase the property in compliance with Government Code Section 7267.2 has been made to the owner of record.

The only remaining issues with the property owners are related to compensation.

RECOMMENDATION:

The Department of Transportation (Department) recommends the California Transportation Commission adopt Resolution of Necessity C-18904. Discussions have taken place with the owner, each of whom has been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which the owner may subsequently be entitled. Adoption of this resolution will not interrupt our efforts to secure equitable settlement. In accordance with statutory requirements, the owner has been advised the Department is requesting the resolution at this time. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

C-18904 - Dominick Siragusa, et ux

11-SD-125-KP 8.9 (SR 54)-Parcel 32155-1,2,3,4 - EA: 003002 - Certification Date: 06/20/03 - (Conventional highway - State Route 54 connector to State Route 125). Authorizes condemnation of land in fee for a State highway; a temporary easement for highway construction; permanent easements for wall, footing, maintenance, and sewer; an easement for sewer to be conveyed to city of San Diego; and extinguishment of abutter's rights of access. Located in the city of San Diego/Bonita at 5443 Robinwood Road.